

## HERPICIDE

All Ladies like soft, thick, glossy hair

Such as NEWBORN'S HERPICIDE produces, because they realize that it increases their beauty fully 100 per cent. All ladies who wish to give NEWBORN'S HERPICIDE a trial will soon become convinced of this fact, because, by destroying the dead germ at work upon the hair root, it makes dandruff, falling hair and thin, brittle hair impossibilities.

Gentlemen find it equally as valuable, for it works like a charm, even upon bald heads.

For Sale at all First-Class Drug Stores.

HOLLISTER DRUG CO., LTD., Agents.

## BY AUTHORITY.

## EXECUTIVE NOTICE.

NOTICE IS HEREBY GIVEN that SAMUEL HOOKANO, ESQ., has been commissioned Acting District Magistrate at Waianae, Oahu.

HENRY E. COOPER, Secretary of the Territory. Capitol, Honolulu, June 3, 1901. 5874

I, Theodore F. Lansing, Treasurer of the Territory of Hawaii, do hereby certify, in accordance with the requirements of Section 13, Chapter XXIII, of the Session Laws of 1894, the same being an "Act to provide for the incorporation of Banking Companies," that I have examined into the condition of THE FIRST BANK OF HILO, LTD., a corporation formed under said act and located in the city of Hilo, Island of Hawaii, and I am satisfied that the said corporation has fully complied with the provisions required by said act, to be complied with before commencing the business of banking, and the said corporation, "THE FIRST BANK OF HILO, LTD., is hereby authorized to commence such business.

In witness whereof, I have hereunto placed my hand and the seal of the Treasurer's office this 26th day of March, A. D. 1901.

THEO. F. LANSING, Treasurer Territory of Hawaii.

## NOTICE OF INTENTION TO FORECLOSE AND OF SALE BY ASSIGNEE OF MORTGAGE.

In accordance with and by virtue of a power of sale and other provisions contained in that certain mortgage deed dated the 24th day of April, A. D. 1897, from Gustav A. Mauer to Victoria Ward, recorded in the Registry of Deeds in Honolulu, Oahu, Territory of Hawaii, in book 170, on pages 200 and 201, and by said Victoria Ward duly assigned to E. H. Wodehouse, of said Honolulu, by assignment dated the 20th day of February, A. D. 1901, and recorded in said Registry of Deeds in book 170, page 201.

Notice is hereby given that the undersigned, E. H. Wodehouse, present assignee and holder of said mortgage, intends to foreclose the same for condition broken, to wit, nonpayment of principal and interest and promissory note secured by said mortgage when due.

Notice is hereby also given that all and singular the lands, tenements and hereditaments hereinafter described (being all the lands, tenements and hereditaments intended to be conveyed by said mortgage) will be sold at public auction at the auction rooms of James F. Morgan in said Honolulu, on Saturday, the 15th day of June, A. D. 1901, at 12 o'clock noon of said day.

Terms-Cash. Deeds at expense of purchaser.

The premises to be sold are all that piece and parcel of land situate on Nuuanu street in said Honolulu, more particularly described as follows:

Commencing at the south corner of this lot on the north side of Nuuanu street, at a point 170 feet mauka of the north corner of Beretania and Nuuanu streets, and running:

(1) N. 34° 25' W. true, 102.3 feet along L. C. A. No. 123 to A. Paki.

(2) N. 2° 50' W. true, 37.1 feet along L. C. A. No. 123 to A. Paki.

(3) N. 68° 45' E. true, 41.9 feet along Auld.

(4) S. 27° 30' E. true, 111 feet along Auld to Nuuanu street.

(5) S. 47° 38' W. true, 41.6 feet along Nuuanu street to the initial point, containing an area of about 13-100 of an acre, and being a portion of R. F. (grant) No. 4005 to M. Kekuanoa, and all right, title and interest of said Gustav A. Mauer in all the land described in said R. F. (grant) No. 4005 to M. Kekuanoa.

For further particulars, apply to E. A. Mott-Smith, attorney for the undersigned.

E. H. WODEHOUSE, Assignee of Mortgage. Dated Honolulu, Oahu, May 22, 1901. 5863

## TO LEASE

FOR A TERM OF YEARS, A piece of land fronting on South street, and running through to Chamberlain street, the frontage on each of said streets being 140 feet, and having a depth of 140 feet.

This property is suitable for the erection of warehouses and stores. For terms, apply to the KAPIOLANI ESTATE, LTD. 5794

COTTON BROS. & CO. ENGINEERS AND GENERAL CONTRACTORS. TRACTORS.

Plans and Estimates furnished for all classes of Contracting Work. Room 300, Boston Block, Honolulu.

Hawaiian Soda Works

EMMA AND VINEYARD STS. TELEPHONE BLUE 1871. PROMPT DELIVERY.

## TWO DECISIONS BY ATTORNEY GENERAL

Territory of Hawaii, Office of the Attorney General, Honolulu, H. I., May 31, 1901.

Hon. Wm. H. Wright, Treasurer of the Territory of Hawaii.

Dear Sir: In accordance with your request of May 29, I submit the following opinion relative to the matter presented in the letter of Hon. John F. Colburn to you, dated May 28, 1901:

Honolulu, H. I., May 28, 1901.

W. H. Wright, Esq., Treasurer Territory of Hawaii.

Sir: In reply to your esteemed favor of this date, we beg to submit the following facts: On February 5, 1901, we sold to W. C. Achi a tract of land situate at Mokuauia, Kailua, Island of Oahu, for the sum of \$1 and a mortgage to be given by said Achi in our favor for the sum of \$300,000, payable in ten years, with interest at the rate of 4 per cent per annum for the first five years and 5 per cent per annum for the balance of the term, said Achi to lay the property out into lots, dispose of them in such a manner as he deemed expedient, and paying to us the sum of 6 1/2 cents for every square foot of land sold above the new line of railroad of the O. R. & L. Co., and 4 1/2 cents per square foot of land sold below said railroad line.

On the 7th day of February, 1901, the deed was executed in due form and the acknowledgments taken of the president and treasurer, who by our by-laws are the persons to execute documents of this nature.

Mr. W. C. Achi and wife, in turn, executed a mortgage to us for the above amount of \$300,000.

Believing as we do that the Organic Act passed by Congress relieved all documents from placing the local stamps thereon, we tendered the deed to Mr. Achi without stamps thereon and he declined to receive same. Later it was suggested by our attorneys that if any local stamps were needed on the said document that the stamp should only be \$1. Our attorneys tendered the deed to the Registrar of Conveyances with the offer to pay the stamp of \$1, and he refused to place the deed upon record. He then sought Mr. T. F. Lansing, who was then the Treasurer of the Territory, and that official, in turn, refused to allow the deed to be recorded, unless the sum of \$1,500 had been paid for stamps. We again notified Mr. Achi that we desired the matter settled, more especially the constitutionality of the local Stamp Act and in response to the same he brought suit against us before Judge Estee of the Federal Court, the said suit being filed on March 19, 1901. We demurred to the suit on the 8th day of April, with a view of reaching the main point, and upon a day set thereafter a full hearing was had. On April 24 Judge Estee decided, overruling the demurrer and ordering us to answer. From that day until within a few days ago, the matter has been in the hands of our attorneys, and it was seriously considered that an appeal should be made from the decision of Judge Estee. However, a few days ago, our attorneys returned the deed to us and advised us to pay the stamps.

It has now occurred to us that twenty-one days have elapsed since the 7th day of May, or three months from the date of execution of said deed, and where it might be urged that we had exceeded the limit to place documents on record without a penalty.

You will observe that this case has really been a test of the rights of this Territory to exact stamps on all documents offered for record. The case has been decided in favor of the Government and considering that we were entitled from the date the declaration was filed until the decision, we are within the limit of the three months allowed by law. Our time would have elapsed on the 7th day of May had we not had this matter in court. Deducting the number of days, viz., the entering of the suit March 19, 1901, to the date of the decision April 24, 1901, total of thirty-five days, we are still within the margin of three months.

We are prepared to place upon this deed stamps to the extent of \$1,500, and respectfully ask for your ruling on the matter. Yours truly,

KAPIOLANI ESTATE, LTD. JOHN F. COLBURN, Treasurer.

Section 925 of the Civil Laws of 1897 is as follows: "All instruments except those for which adhesive stamps may be used, may be stamped by the Registrar of Public Accounts within three months after the execution thereof without any penalty being charged; but if stamped after the said space of three months the instrument shall be liable to, and the person presenting same shall pay, a penalty of 100 per cent of the value of the duty. Provided, however, that instruments executed in foreign countries may be stamped within three months after their arrival in this Republic without the payment of any penalty."

I think the statute above quoted does not require, and was not intended to require, the virtual filing of any one for the inevitable delay of courts in hearing, considering and deciding bona fide questions of legal right.

I think the deed should pay stamps to the amount of \$1,500, not \$3,000. Very sincerely yours,

E. P. DOLE, Attorney General.

MISER WORTH \$25,000.

Timothy McGrath, a quaint West Side character, was found dead in his room on West Thirty-eighth street on Friday afternoon. In a tin box in his room the police found bankbooks representing accounts amounting to nearly \$25,000. They also found deeds for a house and lot in Fortieth street, near Fifth avenue; two lots near Greenwood Cemetery, and a deed of a plot in Calvary.

For twenty years Timothy McGrath, who was almost totally blind, has lived in squalid apartments, which he occupied at his death. There was at first a great deal of mystery about the old man. Every morning he would go out carrying in his arms a hurdy gurdy, and every night he would return and go to his room. Brown was the only man in the house he would permit to enter his room, and Brown it was, who, during the last few months of his life, purchased at a neighboring grocery the absolute necessities of the old man's life.

McGrath was 58 years old. He was a well-known figure on the West Side, and he would station himself on some Eighth avenue corner every day and grind out tunes on his hurdy gurdy and gather in the pennies which were freely given to the old blind man.—New York Herald.

Territory of Hawaii, Office of the Attorney General, Honolulu, H. I., June 3, 1901.

To His Excellency Henry E. Cooper, Acting Governor of the Territory of Hawaii.

Sir: I have the honor, at your request, to submit the following opinion relative to the continuance, in force of chapter 52 of the Civil Laws of 1897, being Act 79 of the laws of the Provisional Government:

The chapter, as amended by changes of titles and powers in the Organic Act, reads as follows:

"Term Treasury Notes.—Section 676. The Treasurer of the Territory, upon the approval of the Governor, may issue, at par, upon public tender, to any person or corporation, term Treasury notes in the name of the Hawaiian Treasury.

"Section 677. The said Treasury notes shall be issued in sums of \$1,000 or multiple thereof, and shall not exceed at any one time \$150,000.

"The rate of interest shall not exceed 7 per cent per annum, free of tax, and be payable at the due date of the note.

"Section 678. The tenders for the said Treasury notes shall state the rate of interest for gold tenders, or for silver tenders, and whether to be repaid in gold or silver coin.

"Section 680. The term for which any Treasury note shall be issued shall not exceed seven months.

"Section 681. The form of said Treasury notes shall be as follows:

No. HAWAIIAN TREASURY NOTE.

Honolulu, 19... Received from... the sum of... dollars, payable in... coin on presentation of this note properly endorsed.

This loan is made for... months and... days, and will bear interest until fully paid from... 19... at the rate of... per cent per annum.

Registrar of Public Accounts.

Treasurer Territory of Hawaii.

Chapter 52 of the Civil Laws of 1897 has not been expressly repealed by the Organic Act. I know of no reason why it is not consistent with the Constitution and laws of the United States and with the Organic Act itself, except in so far as it may be qualified by the following portion of section 52: "Nor shall any debt be authorized to be contracted by or on behalf of the Territory, or any political or municipal corporation or subdivision thereof, except to pay the interest upon the existing indebtedness, to suppress insurrection, or to provide for the common defense, except that in addition to any indebtedness created for such purpose, the Legislature may authorize loans by the Territory, or any such subdivision thereof, for the erection of penal, charitable and educational institutions, and for public buildings, wharves, roads and harbor and other public improvements, but the total of such indebtedness incurred in any one year by the Territory or any subdivision thereof, as the case may be, as shown by the last general assessment for taxation, and the total indebtedness for the Territory shall not at any time be extended beyond 7 per centum of such assessed value, and the total indebtedness of any subdivision shall not at any time be extended beyond 3 per centum of such assessed value, but nothing in this provision shall prevent the refunding of any existing indebtedness at any time, nor shall any such loan be made upon the credit of the public domain or any part thereof, nor shall any bond or other instrument of any such indebtedness be issued, unless made redeemable in not more than five years and payable in not more than fifteen years from the date of the issue thereof, nor shall any such bond or indebtedness be incurred until approved by the President of the United States."

While it is not clear to my mind that the Treasury notes authorized by Act 79 of the laws of the Provisional Government are such instruments of indebtedness as require Presidential approval under the section of the Organic Act above quoted, I think it would be a safer course to ask the approval of the President of the United States.

I have the honor to be, sir, with great respect, your obedient servant,

E. P. DOLE, Attorney General.

## POSTOFFICE CATS.

Stationed at the Philadelphia postoffice are the smallest, but by no means least important, employees of the United States Government. They are the official postoffice cats, who hunt down and capture all those rodents who delight upon feasting upon valuable records, important letters or other manuscripts. These cats number in all about twenty-five, and it is interesting to find that the postmaster has always approved of the way in which they discharge their duties. Postal officials estimate that thousands of rats and mice are killed by these zealous guardians of Uncle Sam's interests during a year, and in return that kind gentleman gives them a warm home and food for all once a day. To provide for the latter a special clause is annually introduced into the postal appropriation bill, setting aside \$60 for furnishing meat for them, at the rate of \$5 per month. Every day an attendant journeys to the market for a lot of meat trimmings. On his return he descends to the basement and blows a mail whistle, when the cats assemble from all directions for their meal. Owing to the fact that no civil service examinations are required of these animals, many curious specimens have been admitted to the postoffice. One of these was a deaf and dumb cat called Tom, who could make signs signifying hunger, thirst and thanks. Another was the "Yellow Kid," who had roved the seas, first as stowaway, and afterward as mascot, on the United States ship Mangrove. Applicants for employment are constantly turning up, and they are always gladly accepted by the officials.—Philadelphia Record.

## WHY HE KEPT HIS RAILROAD TICKET SO LONG.

Conductor Felix Wright, who runs into Fulton on the Illinois Central, collected a ticket from Clinton to Fulton, sold Dec. 21, 1892, a few days ago on his train. The old man who presented it for passage said he bought it about eight years ago, but heard there was a wreck on the road, and was afraid to get on the train. He never summoned up courage enough to ride on a railroad until last Wednesday.—Paducah (Ky.) Sun.



## IF YOU WANT

To Rent a Home

To Sell Anything

To Rent your Home

Sell Your Real Estate

SEE

WILL E. FISHER,

THE POPULAR AUCTIONEER.

Alakea and Merchant Streets.

## Seventeenth Annual Meeting

OF THE

## HAWAIIAN JOCKEY CLUB

## Official Programme,

June 11, 14, 15, 1901.

Races begin at 10 A. M., promptly, on Tuesday, June 11, at 1:30 o'clock on June 14 and 15.

## RACES, JUNE 11.

1. Union Feed Company's Cup, half-mile dash, free for all; purse \$100.
2. 2:40 class, trotting and pacing, best two heats in three; purse \$150.
3. Five furlongs dash, Hawaiian bred; purse \$100.
4. California Feed Company Cup, trotting and pacing, Hawaiian bred, free for all, best two in three; purse \$150, to be won twice by same stable.
5. Waikupu Cup, six furlongs dash, free for all; purse \$150. Winner of cup to beat Venus' record of 1:16.
6. Rainier Cup, trotting and pacing, free for all, best two heats in three; purse \$200, to be won twice by same stable.
7. Pacific Mail Steamship Company's Cup, one mile dash, Hawaiian bred; purse \$150.
8. 2:24 class, trotting and pacing, best two heats in three; purse \$150.
9. Four and one-half furlongs dash, free for all; purse \$100.
10. Rosita Challenge Cup, one mile free for all; purse \$200; \$50 added if Vioris' record of 1:43 be beaten.
11. Three-eighths mile dash, free for all; purse \$75.
12. Three-eighths mile dash, polo ponies; cup value \$50.
13. Mule race; purse \$50; no entrance fee; one mile.

## FRIDAY, JUNE 14.

1. Half mile dash, Hawaiian bred; purse \$100.
2. Merchants' Purse, 3:00 class, trotting and pacing, best two heats in three; purse \$150.
3. Five furlongs dash, free for all; purse \$100.
4. One mile dash, free for all; purse \$150.
5. Gentlemen's driving race, one mile heat, free for all, amateur drivers, open to members of the Hawaiian Jockey Club; cup value \$50.
6. Criterion Cup, one and one-half miles dash, free for all; purse \$200, to be won twice by the same stable.

## SATURDAY, JUNE 15.

1. One and one-sixteenth miles hurdle race, free for all, four hurdles; purse \$150.
2. Six furlongs dash, free for all; purse \$100.
3. 2:14 class, trotting and pacing, best three heats in five; purse \$200.
4. One mile dash, Hawaiian bred; purse \$150.
5. Consolation race, one mile, for non-winners at this meet; purse \$100.
6. Jockey Club Cup, one and one-quarter miles handicap, free for all, weights to be announced the previous evening; purse \$200.
7. Pony race, one-half mile dash, fourteen hands or under; purse \$75.

Entries close on Saturday, June 8.

All entries to be made with the Secretary at the office of the Manufacturing Harness Co., corner Fort and King streets before 12 o'clock noon on Saturday, June 8, 1901.

Entrance fee to be ten per cent of purse, unless otherwise specified.

All races to be run or trotted under the rules of the California Jockey Club, and the National Trotting Association. All riders and drivers to appear in colors.

At least three to enter and two to start.

All horses are expected to start unless withdrawn by 9 o'clock a. m. on June 10th, 1901.

General admission, including grand stand, \$1.00.

No extra charge for carriages inside inclosure.

Additional charge of \$2.50 for admission to saddling paddock.

Quarter stretch badges, \$5.00.

Program subject to change.

Per order Committee.

C. L. CRABBE, Secretary Hawaiian Jockey Club.

## REMOVAL NOTICE.

ROBERTSON & WILDER HAVE moved their law offices to the Stangenwald building, Merchant street, rooms 205, 206 and 207, second floor. 5872

## Common Sense Talk.

We do developing, printing, mounting, copying, enlarging, retouching, repairing, photo-coloring, picture-framing and everything connected with photography.

## We Make a Specialty of it

because we do nothing else. It is our business, each of our nine employees is an expert in his department.

WE TURN OUT THE BEST PRINTS IN THE CITY in one half the time that it takes elsewhere.

Our developer was second man in the great Taber gallery in San Francisco, he is an expert professional, and does nothing but develop the plates and films of our customers.

## FREE INSTRUCTION

In handling you Kodak or Camera; in printing or developing in any branch of photography.

We sell Eastman's Kodaks, as well as all the best grades of amateur and professional cameras on the market—1901 Models. We do not sell second-hand and shop-worn instruments as bright and new, but advertise each instrument for just what it actually is.

We do not carry EVERYTHING pertaining to Amateur and Professional Photography—no stock house in the world does that; but we do carry by far the

## Largest

AND MOST COMPLETE STOCK OF

## Photographic Supplies

that is carried in the Territory of Hawaii. We do our best to give satisfaction, and guarantee each and every article that leaves our shop.

## HONOLULU PHOTO SUPPLY

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Corner Fort and Hotel Streets.

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